IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

RP.No. 1074 of 2006(U)

AGAINST THE JUDGEMENT/ORDER IN WPC.22020/2006 Dated 21/11/2006
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REVIEW PETITIONER/PETITIONER

JAYASREE AMMA, S/O.BHAVANI AMMA,
RESIDING AT JAYANIVAS, VALATHUNGAL P.O.,
KOLLAM.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENTS: RESPONDENTS
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1. SAILAJADEVI, D/O.BHAVANI AMMA,
RESIDING AT SANTHALAYAM, PADANAYARKULANGARA
NORTH, KARUNAGAPPALLY, KOLLAM.

2. MAHADEVAN, S/O.RAGHAVAN PILLAI,
RESIDING AT SANTHALAYAM, PADANARKULANGARA
NORTH, KARUNAGAPPALLY, KOLLAM.

3. MANOJ, S/O.RAGHAVAN PILLAI,
RESIDING AT SANTHALAYAM, PADANARKULANGARA NORTH,
KARUNAGAPALLY, KOLLAM.

4. ABDUL VAHAB, S/O.MUHAMMED KUNJU,
RESIDING AT PUTHEN VEEDU, PULIYOORVANCHI,
VADAKKUMURI, THAZHAVA P.O., THODIYOOR VILLAGE,
KARUNAGAPPALLY TALUK, KOLLAM.

BY //

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 07/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

R.P.NO. 1074 OF 2006

Dated 7th December 2006

O R D E R

This petition is filed to review judgment in W.P.C.22020/2006 dated 21/11/2006 contending that when the matter was argued learned counsel was not aware of amendment to Rule 3A of Kerala court Fees and Suit Valuation Act, 1959 whereunder it provided that where plaintiffs estimates such market value, it shall not be less than the minimum value of such land fixed by the District Collector under 28A of the Kerala Stamp Act. Arguments of learned counsel appearing for petitioner is that as a minimum value has been provided under Section 3A the only restriction is that plaintiff shall not estimate the market value for a value less than the one fixed by the District Collector. I cannot agree with argument of learned counsel appearing for petitioner. In any event, it is not a ground to review the judgment.

Petition is dismissed.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.